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**UNITED STATE DISTRICT COURT
DISTRICT OF NEVADA**

ORACLE USA, INC.; a Colorado corporation; ORACLE AMERICA, INC.; a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION, a California corporation,

Plaintiffs,

V.

RIMINI STREET, INC., a Nevada corporation; and SETH RAVIN, an individual,

Defendants.

CASE NO. 2:10-CV-0106-LRH-VCF

**JOINT ORDER REGARDING
POST INJUNCTION CUSTODIAL
DISCOVERY**

[PROPOSED] ORDER

Pending before this Court is Oracle’s Motion To Compel Re Post-Injunction Requests For Production (ECF No. 1237). Having considered the Parties’ respective positions therein, including at the hearing conducted on September 3, 2019, and good cause existing:

IT IS HEREBY ORDERED:

1. Oracle's Motion To Compel Re Post-Injunction Requests For Production (ECF No. 1237) is **GRANTED in part and DENIED in part**.
2. By September 6, 2019, Oracle must provide Rimini with 10 custodians and 120 search terms, which Rimini must use for its custodial productions. Oracle shall have complete discretion in selecting the custodians and search terms.
3. By September 16, 2019, Rimini must make its first weekly rolling production of non-privileged custodial documents. Rimini must continue to produce non-privileged custodial documents on a rolling basis every seven days thereafter.
4. The deadlines for discovery, initial expert disclosure, rebuttal expert disclosure, and Oracle's filing of a motion for order to show cause set forth in this Court's June 21, 2019 Order (Dkt. 1232) are **VACATED**, and this Court will conduct a status conference on October 7, 2019, at 1:00 p.m.
5. If requested by Oracle, Rimini must, to the best of its ability, review and produce documents by custodian in the order specified by Oracle.
6. For each weekly production and (if any) each weekly privilege log, counsel of record for Rimini must certify in writing pursuant to Federal Rule of Civil Procedure 26(g)(1)(a):
 - a. The number of unique documents reviewed for the production. Two documents are "unique" for purposes of this Order if the documents are identified as non-identical by Rimini's vendor after application of a reasonable de-duping algorithm;
 - b. The number of unique documents listed on the privilege log, if any;
 - c. The number of attorney hours expended on the production (including hours expended reviewing for privilege and compiling a privilege log); and
 - d. The actual amount of fees and costs to be paid by Rimini for the production.
7. Rimini is responsible for its fees and costs for the first 100,000 unique documents produced or logged as privileged (and fully withheld on grounds of privilege); Oracle and Rimini will share reasonable fees and costs equally for the next 200,000 unique documents produced or logged as privileged (and fully withheld on grounds of privilege), if applicable; and Oracle will promptly reimburse Rimini's reasonable fees and costs for

evenly

1 all subsequent unique documents produced or logged as privileged (and fully withheld on
2 grounds of privilege), *i.e.*, document 300,001 and beyond, if applicable.

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4 8. Privilege logs for each weekly production must be served within 21 days of the production
5 to which they relate.

6 9. By no later than October 4, 2019 (in advance of the October 7, 2019 status conference),
7 Rimini shall file with the Court its first three custodial production certifications described
8 in Paragraph 6 above.

9 MORGAN, LEWIS, & BOCKIUS LLP

10 8 By: /s/ John A. Polito
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11 GIBSON, DUNN & CRUTCHER LLP

12 8 By: /s/ Eric D. Vandevelde
9 Eric D. Vandevelde
Attorneys for Attorneys for Defendants Rimini
10 Street, Inc. and Seth Ravin.
11

12 IT IS SO ORDERED.

13 14 DATED September 6
15 _____, 2019

16 By: 

17 Hon. Cam Ferenbach
18 United States Magistrate Judge
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ATTESTATION OF FILER

The signatories to this document are Eric D. Vandeveld and me, and I have obtained Mr. Vandeveld's concurrence to file this document on his behalf.

Dated: September 5, 2019

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ John A. Polito
John A. Polito

CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused to be electronically uploaded a true and correct copy in Adobe “pdf” format of the above document to the United States District Court’s Case Management and Electronic Case Filing (CM/ECF) system. After the electronic filing of a document, service is deemed complete upon transmission of the Notice of Electronic Filing (“NEF”) to the registered CM/ECF users. All counsel of record are registered users.

DATED: September 5, 2019

MORGAN, LEWIS & BOCKIUS LLP

By: _____ /s/ John A. Polito
John A. Polito

Attorneys for Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle International Corporation